 **Arent Fox**
1050 Connecticut Avenue, NW
Washington, DC 20036-5339

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Peter Tannenwald
Tel: 202/857-6024
Fax: 202/857-6395

May 27, 1993

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MAY 27 1993

FEDERAL COMMUNICATIONS COMMISSION
DEPT. OF JUSTICE

D. J. Everett III

General Manager



MAY 27 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

May 23, 1993

Mr. Brian F. Fontes, Ph.D.
Special Advisor
Office of Chairman James H. Quello
1919 M Street, N.W.
Washington, DC 20554

Dear Brian:

Thanks for taking a few minutes out of your busy schedule last week to meet with me and the other representatives of the Community Broadcaster's Association on behalf of the Low Power Television industry.

On behalf of the approximately 300 stations represented by our association, we want to thank you for issuing the Rulemaking proposal on four letter calls and minor changes. Once instituted, these proposals will greatly facilitate our industry.

Some of our detractors have done a good job of parlaying our "secondary status" as far as existing spectrum allocation is concerned into "secondary status" across the board. But there is quite a difference between being secondary in spectrum allocation and secondary in consideration in all other areas. Because we represent, for the most part, mom and pop operations, we don't have the big bucks of the NAB or the INTV or the NCTA to maintain a constant presence at the FCC, so meetings such as the one we had with you are literally our only opportunity to express our face to face thoughts. And that is why your time and attention was so valuable to us.

Thanks again.

Sincerely,

A handwritten signature in black ink, appearing to read "D. J. Everett III". The signature is stylized and cursive.

D. J. Everett III

Board Member and Past President
Community Broadcaster's Association



May 26, 1993

Dr. Brian F. Pontes
Office of the Chairman
FEDERAL COMMUNICATIONS COMMISSION
1919 M Street N.W.
Washington, D.C. 20554

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<i>Peter S. ...</i>	
Co.	
Dept.	Phone #
Fax #	Fax #

Dear Brian:

Thank you, Jonathon Cohen and Maureen O'Connell very much for taking the time to meet with our group from the Community Broadcasters Association. As we discussed, there are several pressing issues facing our industry, including:

1. Four letter call signs without the extra two-letter suffix suggested in the NPRM in MM Docket No. 93-114 which would tag LPTV stations as something different from normal television.
2. Reasonable rates for leased access, to make access realistically available to entities which want to provide local community programming but have no must-carry rights.
3. Consideration for low power television in the HDTV table of allotments.
 - a. An opportunity for LPTV stations to apply for allotted ATV channels after the close of the initial filing period for full power stations.
 - b. Allowing an LPTV operator to remain on its current NTSC channel until all other channels usable for ATV in the market have been occupied.
 - c. Allowing LPTV operators to petition for substitutions in the ATV allotment table if the substitution would comply with the ATV separation rules and enable the LPTV station to avoid displacement.
 - d. An opportunity for LPTV stations to convert from NTSC to ATV after full power stations have been accommodated and to achieve primary status after such conversion.

We appreciate that NTSC low power stations have been licensed

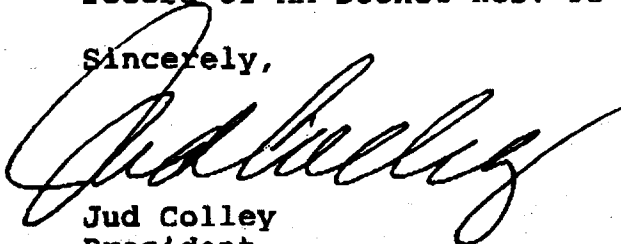
fact, fulfilling this purpose. To ignore the markets we alone serve would be an unwarranted disservice to our listeners and a violation of the fair and equitable frequency distribution principle of Section 307(b) of the Communications Act.

The Chairman has attended two of our conventions and is certainly familiar with our industry and the markets we are serving. There are over 1300 low power stations on the air now and at the present rate of build, we expect the number of LPTV stations to exceed the number of full power stations in the not so distant future. We are providing the service we were created to provide. We must have the ear of our regulatory agency just as much, if not more, than full power stations.

Over and over again in legislative hearings and before the Commission in rule makings, broadcasters have asked for "a level playing field." LPTV needs a level playing field too; we deserve the right to compete and earn a fair return on our investments. But while we are willing to compete in the marketplace, our industry is young and does not have the resources to compete with or mount the lobbying efforts to which the Commission normally sees in dealing with the NAB and NCTA. We come to Washington at our individual expense to keep the Commission abreast of the progress of our industry and to solicit your support in maintaining our economic future. Our requests are not burdensome to other industries or groups and do not require great Staff efforts from the Commission. They are reasonable, and they are critical to our industry.

Thanks again for your attention and cooperation. Copies of this letter will be furnished to the Secretary for inclusion in the record of MM Docket Nos. 93-114 and 87-268.

Sincerely,



Jud Colley
President
COMMUNITY BROADCASTERS ASSOCIATION

cc: Peter Tannenwald, Esq.

JC/k



May 26, 1993

Mr. John C. Hollar, Esq.
Office of Commissioner Duggan
FEDERAL COMMUNICATIONS COMMISSION
1919 M Street N.W.
Washington, D.C. 20554

By Facsimile to (202) 632-5171

Dear John:

Thank you very much for taking the time to meet with our group from the Community Broadcasters Association. As we discussed, there are several pressing issues facing our industry, including:

1. Four letter call signs without the extra two-letter suffix suggested in the NDBM in MM Docket No. 02-114 which

economic or other reasons. We have demonstrated that we are, in fact, fulfilling this purpose. To ignore the markets we alone serve would be an unwarranted disservice to our listeners and a violation of the fair and equitable frequency distribution principle of Section 307(b) of the Communications Act.

We have met with Commissioner Duggan on a couple of occasions and we believe he understands the importance our industry. There are over 1300 low power stations on the air now and at the present rate of build, we expect the number of LPTV stations to exceed the



May 26, 1993

Mr. Bob Branson
Office of Commissioner Barrett
FEDERAL COMMUNICATIONS COMMISSION
1919 M Street N.W.
Washington, D.C. 20554

By Facsimile to (202) 632-5168

Dear Bob:

Thank you very much for taking the time to meet with our group from the Community Broadcasters Association. As we discussed, there are several pressing issues facing our industry, including:

1. Four letter call signs without the extra two-letter suffix suggested in the NPRM in MM Docket No. 93-114 which would tag LPTV stations as something different from normal television.
2. Reasonable rates for leased access, to make access realistically available to entities which want to provide local community programming but have no must-carry rights.
3. Consideration for low power television in the HDTV table of allotments.
 - a. An opportunity for LPTV stations to apply for allotted ATV channels after the close of the initial filing period for full power stations.
 - b. Allowing an LPTV operator to remain on its current NTSC channel until all other channels usable for ATV in the market have been occupied.
 - c. Allowing LPTV operators to petition for substitutions in the ATV allotment table if the substitution would comply with the ATV separation rules and enable the LPTV station to avoid displacement.
 - d. An opportunity for LPTV stations to convert from NTSC to ATV after full power stations have been accommodated and to achieve primary status after such conversion.

We recognize that NTSC low power stations have been licensed on a secondary basis with regard to spectrum use; but we are not secondary and the Commission never said we should be, in either service or in the public interest. LPTV was created to fill small and niche markets gaps ignored by the full power stations for

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